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Fifth periodic report of States parties

Dominican Republic*

* For the initial report submitted by the Government of the Dominican Republic, see CEDAW/C/5/Add.37, considered by the Committee at its seventh session. For the combined second and third periodic report submitted by the Government of the Dominican Republic, see CEDAW/C/DOM/2-3, considered by the Committee at its eighteenth session. For the fourth periodic report submitted by the Government of the Dominican Republic, see CEDAW/C/DOM/4, considered by the Committee at its eighteenth session.
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Introduction

In 1979, the United Nations General Assembly adopted the Convention on the Elimination of All Forms of Discrimination against Women, which has been ratified by almost all the countries of the world and has become a solid driving force for the promotion and defence of women's rights at the global level. Twenty years later, the United Nations took another step forward by adopting the Optional Protocol to the Convention, an instrument which facilitates its implementation and practical application.

The Dominican Republic expressed its commitment to fighting for women's rights in 1982 when it ratified the Convention. Recently, in 2001, we became one of the first Latin American countries to ratify the Optional Protocol.

This commitment also entails the submission of periodic reports to the Committee on the Elimination of Discrimination against Women, the organ responsible for monitoring the implementation of the Convention. Those reports, which necessitate a rigorous review of the implementation of the Convention in our country, together with the suggestions and recommendations of the Committee, have provided us with valuable guidelines and stimulus in our efforts to comply with the Convention.

To date, we have submitted four reports to the Committee. The first report was submitted in 1998, the second and third combined reports were submitted in 1993 and the fourth report was submitted in 1997.

The fifth report covers the period from 1998 to 2001 and consists of three chapters. The first chapter gives a broad overview of the country's socio-economic situation and describes poverty levels and Government action to combat them. The second chapter describes the status of gender mainstreaming in the public sector, in particular within the State Secretariat for Women (SEM). The third chapter outlines the situation of the country with regard to the articles of the Convention and highlights the progress made during the reporting period.

Chapter I
Socio-economic context. The fight against poverty

Since the 1990s, the Dominican Republic has been engaged in various participatory State reform and modernization processes which have involved an ever increasing number of sectors of Dominican society.

These processes are taking place within the context of a very favourable economic climate,[1] on account of:

- Strong economic growth during the 1990s (as compared to the 1980s), principally during the last five years;
- Sustained growth in GDP, which increased from 4.4 per cent in 1994 to 7.8 per cent in 2000;[2]

[1] Jeffrey Lizardo, "La situación social de la República Dominicana en el contexto latinoamericano", InterAmerican Institute for Social Development (INDES), Azua, Dominican Republic, 2001.

[2] Although in 2001 it fell to 5 per cent.

- A 2.8-fold increase in per capita GDP between 1990 and 1999;
- A 29 per cent decrease in inflation between 1981 and 1990 and a 7.5 per cent decrease between 1991 and 2000;
- A climb of four places compared to the rest of the Latin American and Caribbean countries during the 1990s (in 2000 we occupied 24th place in Latin America and the Caribbean, and 87th place out of 174 countries in the world).

Table 1
Annual growth rate of real GDP, 1994-2001

Year	*Rate*
1994	4.4
1995	4.8
1996	7.3
1997	8.2
1998	7.3
1999	8.3
2000	7.8
2001	5.0

Source: Ramírez, Nelson, *El PIB y el desarrollo: el mito reiterado*, CESDEM, special Hoy/Areito, 2000. As regards 2000-2001, Lizardo, Jeffrey, INDES, 2001.

Table 2
Gross domestic product and inflation for the periods 1981-1990 and 1991-2000

Period	*GDP (%)*	*Inflation (%)*
1981-1990	2.3	28.9
1991-2000	5.9	7.5

Source: Jeffrey Lizardo, INDES, 2001.

However, this situation coexists with current poverty levels, which are linked to the unequal distribution of wealth[3] and the Dominican Republic's participation in the process of globalization through the development of sectors which are largely dependent on external factors, such as tourism, free trade areas and the export of agricultural products.

1.1. Description of poverty

The study entitled "Focalización de la pobreza", conducted by the National Planning Office (ONAPLAN),[4] estimates that in 1998 non-extreme poverty affected 37 per cent of the Dominican population and extreme poverty affected 15 per cent,

[3] In 1998, the poorest 20 per cent of the population earned less than 5 per cent of the income, whereas the richest 10 per cent enjoyed 41 per cent of the income.

[4] "Focalización de la pobreza en RD", Population report No. 11, December 1997, ONAPLAN.

that is to say that 52 per cent of the population were living in poverty. The most severely affected were rural populations, mainly those in the south-east[5] and north-east of the country. The study did not reveal the specific ways in which poverty affects women.

Between 1996 and 1998, overall poverty levels decreased by 7 per cent and the number of homes affected by extreme or absolute poverty decreased by approximately 21 per cent (from 18.5 per cent to 14.6 per cent). It would appear that those living in absolute poverty have progressed to non-extreme poverty; the fact that levels of non-extreme poverty remained stable between 1996 and 1998 also points to an improvement for the latter group (see table 3).

According to the National Survey of Household Income and Expenditure carried out by the Central Bank in 1998, 28.7 per cent of Dominican households are headed by women and 33 per cent of the total number of homes with the lowest incomes are headed by women. An analysis of heads of household by gender and income quintile shows that the higher the income the higher the proportion of male heads of household and, conversely, the lower the income the higher the proportion of female heads of household. The survey also reveals that 76 per cent of female-headed households are located in Santo Domingo or other urban areas with the highest concentration of poor people, while only 64 per cent of the male-headed households are located in these areas.

Table 3
Poverty levels in the Dominican Republic by geographical area (1996 and 1998)

	1996			*1998*		
Geographical area	*General poverty*	*Non-extreme poverty*	*Extreme poverty*	*General poverty*	*Non-extreme poverty*	*Extreme poverty*
Whole country	55.7 (more than a million households)	37.2	18.5	51.8	37.2	14.6
Urban	–	–	–	37	30.0	7
Rural	–	–	–	85	48	37

Source: ONAPLAN, 1997, "Focalización de la pobreza en RD", Population report No. 11, December 1997.

1.2. Employment[6]

Between 1996 and 1999, the status of the employment variable can be broadly characterized as follows:

– Increase in employment in the formal sector (free trade areas and tourism);

[5] Border area with Haiti. Also in areas with large numbers of *bateyes* (traditional sugar mill camps) where workers are now employed in other parts of the agricultural or construction sectors.

[6] More detailed information on employment is contained under article 11 of this report.

- Substantial increase in employment in the informal sector, particularly in microbusinesses and small and medium-sized enterprises, and a strong tendency towards self-employment;
- Instability in the microbusiness sector, as evidenced by the high number of job losses;
- Decrease in unemployment from 21 per cent in the early 1990s to 15 per cent in 1998. The microbusiness sector contributed significantly to this decrease.

1.3. Social spending

A review of social spending in relation to total expenditure and gross domestic product (GDP) reveals that spending on education (from 1 to 2.7 per cent of GDP) and health (from 1 to 1.5 per cent) has increased since 1996, whereas spending on housing has decreased. The total amount invested in human development (education, health and social services) between 1996 and 1997 varied between 4 and 5 per cent.

Social spending in the education and health sectors has been given a new direction during this period. In the education sector, more funds have been channelled into basic education, which accounted for 48 per cent in the period 1997-1999. In the health sector, the total spending as a proportion of GDP was 4.5 per cent, of which 1.6 per cent came from the public sector and 2.9 per cent from the private sector.[7]

Table 4
Total spending and social spending in the Dominican Republic, 1990-1999

Year	*Total spending by the central Government as a percentage of GDP*	*Social spending as a percentage of GDP*	*Social spending as a percentage of total spending*
1990	11.9	4.4	39.6
1991	10.6	3.8	37.2
1992	14.9	5.3	35.2
1993	16.7	6.6	38.7
1994	15.7	6.7	42.6
1995	14.2	5.6	39.7
1996	14.7	5.8	39.6
1997	16.4	6.3	38.4
1998	16.0	6.3	38.9
1999	16.6	6.4	40.3
Decade average	14.8	5.7	39.0

Source: ONAPLAN, "Estructura económica, funcional y geográfica del gasto público en la República Dominicana (1978-1999)", July 2000.

[7] J. Lizardo, op. cit.

1.4. Government responses to the poverty inherited by the new millennium

Government policy has been focusing on poverty since the end of 1997. That focus has made it possible to identify the most vulnerable groups and geographical areas.

The most important step taken during this period was the decision of the present Government, made in August 2000, to create a social policy coordinated among all public bodies and designed to reduce poverty levels in the Dominican Republic. To that end, the Government has made a commitment to promote and integrate gender equality and the empowerment of women as a central strategy of this policy.

Various strategic elements of this social policy are significant in terms of the implementation of a gender equity policy; these include increasing the efficiency, quality and budget of the social sector, focusing on beneficiaries, modernizing the State and creating a monitoring and review system.

To date, the social policy has focused more on assistance-based activities; therefore there is a need to strengthen the mechanisms for the implementation of activities relating to welfare and poverty reduction.

In January 2001, the State Secretariat for Women, in its capacity as a member of the Social Affairs Cabinet, the body responsible for government social policy, submitted to that body a proposal containing the public policies on poverty which should be adopted as State policies. These policies provide for:

- Cross-cutting approaches to gender at all levels and gender-awareness training for all staff involved in women's issues;
- Access for women, particularly female heads of household, to economic policies in the areas of production and financing and to resources and training in non-traditional fields; improved access to education and reproductive health services and increased opportunities for formal education; creation of specialized programmes for women from the sugar mill camps;
- Focus on social spending in the rural sector;
- Promotion of basic food, health and sanitation services and effective coordination of efforts to prevent and reduce domestic violence;
- Awareness-raising and information concerning the international conventions on the rights of migrant women addressed to the authorities dealing with this particular group.

1.5. Assessment by civil society and public bodies of progress in the area of women and poverty

At this stage, we would like to mention the results obtained in the area of women and poverty which were highlighted by 96 public and private bodies in the Dominican Republic, as set out in the Assessment of the Beijing Platform for Action in the Dominican Republic.[8] Those results are as follows:

[8] The assessment was carried out in February and April 2000, on the basis of a number of forums, four regional and one national, in which 55 non-governmental organizations and 41 governmental bodies participated. "Evaluación de la Aplicación de la Plataforma de Acción de Beijing en la RD, 1995-2000", State Secretariat for Women, May 2000.

- Increased social awareness that women are the members of society who are most affected by marginalization and poverty;
- Mobilization of financial resources to benefit women (Government, non-governmental organizations and international cooperation) with emphasis on the implementation of training programmes and projects, the provision of legal aid to low-income women, retraining for women in the areas of production control and marketing quality and strengthening of the national machinery for gender equity (State Secretariat for Women);
- Gradual but sustained reduction in poverty in the Dominican Republic, which is of indirect benefit to women;
- Recent changes in social policies which have had a positive effect on the situation of women (increased social spending and launch of a poverty reduction action plan);
- Implementation of income-generating production projects and a consequent awareness and re-evaluation of women's productive capacity;
- Progress in women's direct access to land forming part of agrarian reform, and extension of the mandate to include women in programmes run by other bodies within the agricultural sector;
- Progress in the level of economic independence, including increased involvement in food production and domestic husbandry, the financial sector, microbusinesses and industrial free-trade zones;
- Progress with regard to the various types of public services which have benefited significant numbers of women (education, health and so on).

The review also mentioned, inter alia, the following difficulties:

- Although poverty has decreased, it remains one of the main obstacles to Dominican development and the advancement of women;
- Despite the progress made, the resources allocated by the State to poverty reduction programmes are still insufficient;
- Macroeconomic indicators do not facilitate the analysis of the impact of policies involving anti-poverty programmes;
- Within the current economic framework, men are still privileged because women, as well as working in the public sphere, are responsible for domestic chores;
- Inequalities among women themselves still remain, owing to the vulnerability of certain groups, inter alia, the elderly, sex workers, the disabled, children and adolescents and Dominican women of Haitian origin.

A number of the recommendations designed to overcome those difficulties are currently being implemented:

- Creating a broad-based gender-awareness programme for civil servants and technicians working in the public sector;

- Encouraging government social policies to focus more closely on female heads of household, women with disabilities and the elderly;
- Promoting the organization of microbusinesses for women and the opening of credit windows;
- Promoting improved access for women to centres providing vocational and technical training.

Chapter II
Gender mainstreaming in the public sector

Paragraph 338 of the concluding comments on the fourth report of the Dominican Republic (A/53/38/Rev.1) "requests the Government to include in its next report detailed information on the practical implementation of the Convention, emphasizing the impact of policies and programmes aimed at achieving women's equality". We have therefore conducted a small survey of such mechanisms[9] in those public sector institutions we consider essential to ensuring progress under CEDAW.

2.1. Mainstreaming gender policy

On 11 August 1999, Act No. 86-99 establishing the State Secretariat for Women (SEM)[10] was promulgated. This body is responsible for establishing standards and coordinating the execution of policies, plans and programmes, at the sectoral and interministerial level and with civil society aimed at achieving gender equity and the full exercise of citizenship by women. SEM is the result of a project begun in 1997 under the plans for government reform and modernization that coordinated a sectoral negotiation process to promote its establishment with the participation of around 100 government institutions and non-governmental organizations.

It is responsible for norms and governance, international policy, social awareness-raising and education and coordination and cooperation with civil society. At the same time, the Advisory Council of the former Department for the Advancement of Women (DGPM), which became SEM, has been reconfirmed, and the Sectoral Council on Women, composed of the government secretaries and directors of sectoral offices, has been established to represent organizations linked to and cooperating with SEM.

2.1.1. Mainstreaming of the national machinery

The national machinery, both as a Department and in its current form as a State Secretariat, has been immersed in various processes of institution-building. From 1996 to date, out of a total of 17 programmes and projects developed under the auspices of international cooperation agencies, four are aimed at general institutional strengthening of DGPM/SEM (one completed and three in progress).

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[9] This involves the application of guidelines (see annex 2) essentially intended to establish the levels of mainstreaming of gender policies in the sector and the financial commitments available for their implementation.

[10] This mechanism has existed since 1982, as the Department for the Advancement of Women, established by Executive Decree No. 46.

Institution-building has focused on the following priorities:

- Raising the institutional standing of DGPM through the establishment of the State Secretariat for Women (SEM);
- Pursuing decentralization through the establishment of provincial and municipal offices for women (OPMM);
- Strengthening SEM and its provincial and municipal offices for women;
- Internal restructuring and capacity-building;
- Impact on planning and decision-making procedures and tools; impact and coordination with strategic areas;
- Awareness, capacity-building and lobbying with the technical staff and decision makers in public agencies.

Other programmes and projects refer to the target areas of violence, environment, production and income generation (through credits, training and technical assistance), rural women and dissemination of information on women's rights. These include three projects for production and income generation, each for a period of four to five years, aimed at helping female owners of micro-, small and medium-sized businesses.

During this reporting period, the following were targets for action by DGPM/SEM:

- Anti-poverty efforts, aimed at reducing poverty levels;
- Empowerment of Dominican women, through women's leadership training and participation in decision-making bodies;
- Education, communication and culture;
- Violence and health, focusing on prevention, punishment and eradication of gender-based violence.

These targets are pursued as part of a framework of overall strategies for cooperation with civil society, support from international cooperation agencies and the involvement of public institutions from their respective areas of action (although still in a marginal way, except in the health and education sectors).

Services offered by the State Secretariat for Women (SEM):

- Department of the Counsel for the Defence of Women against Violence;
- Support to the Public Prosecutor's Office in psychological evaluation of survivors of violence;
- Training and sensitization on gender and other topics related to the status and situation of women for public-sector officials and technicians, and for those in strategic non-governmental sectors: political leaders, officials, women's non-governmental organizations, women's groups, neighbourhood organizations and community groups, trade associations in the country's various provinces and communities and in-house training for the staff of central governmental and provincial offices. This year, emphasis is being placed on training community leaders to work on the design and analysis of public policy from a

gender perspective, awareness activities, lobbying and networking in public agencies;

- National Programme to Reduce Violence against Women (see sects. 3.5, 6.3).

2.1.2. Provincial and municipal offices for women (OPMM)

There are a total of 48 provincial and municipal offices for women throughout the country whose purpose is to promote gender equity from within the communities themselves. There were 11 such offices in June 2000, and by the end of the 2000-2004 five-year period, it is expected that the majority of the 30 provinces and 125 municipalities will have an office for gender equity. In the institution-building process, the functions of these offices include:

- Raising awareness and building capacity in the area of gender among women's organizations, the general public and OPMM staff;[11] political and social participation in efforts to deal with domestic violence.
- Vocational training schools offering two types of training: traditional areas which are most in demand among women (sewing, cosmetology, confectionery, breadmaking, handicrafts, etc.) and non-traditional jobs (carpentry, electrical work, plumbing). These schools operate under an agreement between the State Secretariat for Women and the National Institute of Technical and Vocational Training (INFOTEP). Once the vocational training is completed, training with INFOTEP in the administration of production projects is planned. This training will include teaching women to read and write when necessary.
- Production or economic resource generation projects with levels of support, through an agreement between SEM and the Programme for Micro-, Small and Medium-sized Enterprises (PROMIPYME) to enable women to receive loans for their production projects.

Table 5
Number of provincial and municipal offices for women (OPMM) by region State Secretariat for Women (SEM), December 2001

Region	*Total offices*	*Provincial*	*Municipal*
South/south-east	8	6	2
East	6	6	–
North	23	13	10
Total	**37**	**25**	**12**

2.2. National machinery for gender equity

The State Secretariat for Women (SEM), in coordination with women's organizations and institutions of civil society and the public sector, has designed the following instruments to implement gender equity:

[11] Each OPMM has a staff of at least five: a chief, an attorney, a sociologist or psychologist, a secretary and a receptionist.

- **Gender diagnostic surveys on government reform and modernization**, carried out in 1999 by SEM[12] in areas where the incorporation of a gender perspective had the greatest impact on women, and which are strategically relevant to the work of SEM and to the advancement of women. The six areas selected were: planning system, statistics sector, judiciary, educational system, health and social security sector and agriculture sector. In general the surveys revealed that:

  –In the processes of reform and modernization and in the bodies which served as a point of reference, acceptance of the importance of gender as an issue had been achieved;

  –The successful mainstreaming of gender in government reform and modernization is ensured if it is accompanied by training, creation of working tools and sectoral decision-making.

- **National Gender Equity Plan (PLANEG),**[13] which was designed based on a consultative process carried out between January 1999 and March 2000, with the participation of 26 government bodies and 29 women's organizations and institutions. The Plan is designed for seven areas of action: communications and culture; education; the economy, production and employment; health and non-violence; political and social participation; legislation; and environment and sustainable development. It includes an analysis of the situation with its causes and effects, identification of priorities (results), guidelines for action to achieve those results, indicators to measure achievements and sources of verification for those indicators.

- **Assessment of the Beijing Platform for Action in the Dominican Republic, 1995-2000**, carried out in April 2000 by 96 institutions and organizations in the public sector and civil society.

2.3. Cooperation with civil society

One of the responsibilities assigned under the Act establishing the State Secretariat for Women (SEM) is to coordinate and cooperate with civil society "to advance the main aspects of gender equity in the areas of political participation, modernization, poverty eradication, violence, education, culture, labour and health".[14] A sign of this cooperation is the many areas of coordinated action in which SEM participates with civil society organizations, through some 18 bodies, for instance, the Inter-Agency Committee for the Protection of Migrant Women (CIPROM), the National Commission for the Prevention of Domestic Violence (CONAPLUVI), the Sectoral Council on Women, the Intergovernmental Committee against Child Prostitution, the National Commission on Breastfeeding, the National Commission on Maternal Mortality and the Inter-Agency Commission on Child Development.

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[12] "Diagnósticos de género en la reforma y modernización del Estado", SEM, UNDP and UNFPA, April 2000, Santo Domingo, Dominican Republic.

[13] "Plan Nacional de Equidad de Género: Acciones Coordinadas desde el Estado para el desarrollo de la mujer (PLANEG)", SEM, UNDP and UNFPA, Santo Domingo, Dominican Republic, May 2000.

[14] Art. 2 D, Act. No. 86-99 (SEM), Office of the President of the Republic, Dominican Republic, 2001.

The formal institutional agreements between SEM and **civil society** during the period 1996 to June 2001 cover the mutual exchange of services, almost always relating to management training for micro- and small businesses, community education and the topics of violence, health and job creation projects, all from a gender perspective. Other areas include promotion, dissemination and education in respect of legal matters, and support of national campaigns and projects on establishing and managing a credit portfolio. In addition, civil society organizations have coordinated community activities in order to channel support from SEM. Grass-roots organizations have also been given advisory assistance on laws and available mechanisms for the protection of women's rights, and statistical information has been exchanged concerning the sectors where civil society organizations are at work.

Agreements with the public sector refer to the establishment of coordination for training and capacity-building on gender issues for civil servants and technical staff. They also include the definition, design and promotion of gender policies in the public sector, exchange of information and the establishment of strategies, programmes and projects to promote greater incorporation of the contribution of women. In addition, gender equity assistance was provided for the processes of coordination, formulation and execution of development programmes, training of community leaders and support for a review of the legal system in order to eliminate discrimination against women. In the framework of combating poverty, production and cooperation on projects for female heads of household and older women were carried out and diagnostic surveys were done on the situation of gender equity in the reform of the public sector.

2.4. Gender-disaggregated statistics[15]

Despite the difficulties that persist in introducing a gender perspective in the production of national statistics, some progress has been achieved during the reporting period.

The Department of Demographic, Social and Cultural Statistics for the Women's Sector was created in 1997 within the National Statistical Office (ONE). Its function is to process statistical data on Dominican women in those social, demographic and economic areas that will yield statistical indicators on this population.

The State Secretariat of Education (SEE) and that of Public Health and Social Welfare (SESPAS) are producing gender-disaggregated statistical information. SEE is processing and publishing without major delay its annual school statistics; SESPAS has made significant progress in establishing a National Epidemiology Information and Tracking System, by systematizing national tracking standards, in which gender is a basic variable. It includes, among other things, the tracking of maternal and infant mortality and of live births.

In addition, the Central Bank has incorporated the gender variable in the National Survey of Household Income and Expenditure.

[15] Paragraph 344 of the concluding observations on the fourth report request improvements in compiling and use of gender-disaggregated statistics.

But the greatest contribution to progress in the production of gender-disaggregated statistics is the work being done by the State Secretariat for Women (SEM). During the reporting period we wish to highlight:

- Publication in April 2000 of a series of six gender diagnostic surveys on government reform and modernization, mentioned earlier;
- Publication in June 2000 of the book *Statistics for social planning from a gender perspective*, which gives up-to-date information on population and households, economic and political participation, education, health and violence;
- Introduction of a gender perspective into the Eighth Agricultural Census by the State Secretariat of Agriculture (SEA) with the support of SEM for the purpose of compiling gender-disaggregated information and analysing the results from a gender perspective.

Important changes have also taken place in the private sector in the analysis of the major national surveys (including the Population and Health Census, better known as ENDESA[16] and the National Survey of Political Culture and Democracy, known as DEMOS[17]) where, in an increasingly systematic way, analysis from a gender perspective has been introduced; this point of view is taken into account from the planning stage, which allows creative and current ways to be sought to compile information.

Chapter III
Information relating to the articles of the Convention

3.1. and 3.2. Articles 1 and 2: Discrimination against women

The progress achieved during this period towards the elimination of discrimination against women can be broken down into four categories:

Firstly, **legal and juridical reforms**[18] through the enactment and application of laws to strengthen and broaden women's rights. Seven laws were enacted between January 1998 and September 2001 to promote the implementation of the Convention relating in particular to the situation of the migrant population, health, social security and political participation by women.

Secondly, **the creation of mechanisms and programmes** related directly or indirectly to improving the situation and status of women. These include:

- **Public-sector programmes, projects and areas of activity for the promotion of women**. There are about 20 programmes in public-sector bodies in areas including education, training, health, production and credit, planning and violence; most of them have been created over the past five years;
- **Programmes and projects implemented by civil society organizations**. The Coordinator of non-governmental organizations for Women's Issues alone has 25 member institutions which are working in various ways to promote, protect

[16] Produced by the Institute for Population Studies and Development (IEPD) of ProFamilia.
[17] Produced by the Pontificia Universidad Católica Madre y Maestra.
[18] See section 3.15, where these legal reforms are detailed.

and advance women's rights from the perspective of their physical, spiritual and intellectual development;

- **Sectoral, multisectoral and inter-agency coordination and cooperation mechanisms** involving the public sector and civil society.[19]

Thirdly, **the design and elaboration of instruments for action** which have already been outlined:[20] the National Gender Equity Plan (PLANEG), the Assessment of the Beijing Platform for Action in the Dominican Republic, 1995-2000; and instruments elaborated on the basis of collaborative work between women's non-governmental organizations and public-sector bodies.

Fourthly, **concrete actions for the protection and promotion of women's human rights**, such as the creation of women's protection squads in some cities (San Francisco de Macoris, Santiago, Villa Altagracia and Bani), the creation of the Office of the Commissioner for Reform and Modernization of Justice. These actions have led to significant improvements in women's rights from the legal standpoint,[21] as have various activities and campaigns to promote awareness of women's rights, particularly in relation to violence and political participation.

3.3. Article 3: Women's human rights

3.3.1. General situation and trends in domestic violence against women

In the second half of the 1990s, not only did domestic violence against women become more visible, but also legislation and mechanisms for the prevention and eradication of such violence were established. Government programmes were set up to provide services to women recovering from domestic violence. Efforts were made to promote sensitivity and awareness among the population in relation to this problem, so that domestic violence against women began justly to be seen as a public and social issue. There has also been an increase in the number of NGOs running specialized programmes relating to domestic violence, and existing programmes have been strengthened.

The results of the Population and Health Census (ENDESA-99),[22] which devoted an entire section to the study of domestic violence, reveal that:

- One third of the women interviewed have suffered physical violence from their husbands or other persons. The worst affected are separated and divorced women (51 per cent) and rural women (39 per cent);
- Of the total number of women interviewed, 13 per cent admitted to having been beaten over the past year;
- Of the women who were married or cohabiting at the time of the survey, 29 per cent had suffered some form of physical violence from their husbands or

[19] Already mentioned in section 2.4.

[20] See section 2.3.

[21] "Evaluación de la Aplicación de la Plataforma de Acción de Beijing en República Dominicana, 1995-2000", SEM, May 2000.

[22] A representative national survey conducted in 1999. The subjects were women of childbearing age, between 15 and 49. CESDEM (Centre for Social and Demographic Studies), September 2000.

companions, 23 per cent had suffered emotional abuse and 10 per cent sexual abuse;

- Of the total number of victims, 54 per cent had failed to seek help or support; 47 per cent of that number expressed the belief that it would be useless or unnecessary to do so;

- Between January and October 2001, there were 88 cases, or 9 cases per month, of women being murdered in the Dominican Republic. From September 1990 to October 1999, 938 cases were reported, which is equivalent to 104 cases per year or 9 per month.[23]

3.3.2. Difficulties in enforcing the Act

Since the Act was promulgated in 1997, five local offices specializing in the protection of women against domestic violence have been set up:[24] in the Villa Juana district, Santo Domingo (1997), San Francisco de Macorís (1999), Santiago (2000), Villa Altagracia (2001) and Bani (2002).

The obstacles identified so far[25] in the application of the Act are:

- The lack of adequate budgetary resources in the government bodies responsible for its application;

- The continuing difficulty of persuading the justice system to accept the gender perspective; both the Public Prosecutor's Office and the National Police need increased training in gender equity;

- There is a lack of centres and/or rehabilitation mechanisms for men who have committed assaults; Article 309-5 of Act No. 24-97, however, provides for the obligation to help offenders to learn to control their violent impulses towards women;

- The availability of specialized care for survivors of violence is inadequate; to the extent that it is available, it is mostly provided by the private sector;

- There are no "safe houses" for victims of domestic violence, although they are provided for under the Act.

3.3.3. Mechanisms and instruments for the prevention and eradication of domestic violence against women

Mechanisms and instruments have been created in order to make optimal use of the available resources:

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[23] These estimates are based on reports in the national press. For 2001 they are taken from the records of Susy Pola and for 1990-1999 the data come from the Women's Action Research Centre (CIPAF), quoted by Gómez and Galván, National Council for Population and the Family (CONAPOFA), June 2000.

[24] These branch offices represent a coordinated inter-agency effort, involving the Office of the Director-General for the Advancement of Women, the Office of the Procurator-General of the Republic, the National Police and the Commission for the Reform and Modernization of Justice.

[25] Susy Pola, "Departamento de Protección a la Mujer del Destacamento Policial de Villa Juana, Santo Domingo, Republica Dominicana: Análisis de la experiencia de coordinación especializada en atención a la violencia intrafamiliar", Dominican Republic, 2000.

- The main functions of the National Commission for the Prevention of Domestic Violence (CONAPLUVI), established in November 1998,[26] are to facilitate the coordination and supervision of policies for the prevention of domestic violence against women, and to monitor the enforcement of Acts Nos. 24-97 and 14-94 (against violence and for the protection of minors), compliance with international agreements ratified by the Dominican Republic and the inter-agency agreements derived from this Commission's national strategic plan. The latter comprises five areas of action: prevention of domestic violence against women, activities and mechanisms to ensure the enforcement of the Act, care for victims of domestic violence against women, social and individual rehabilitation for those who have committed acts of domestic violence, and emotional support for providers of health-care services for victims of domestic violence.

- Development of the Regional Pilot Project on the Prevention of Violence against Women — Dominican Republic Programme, conducted between 1998 and 2001 by the National Planning Office (ONAPLAN),[27] financed by the Inter-American Development Bank (IDB) and developed through two components: care and prevention, and communication. The Programme has been brought under the authority of the State Secretariat for Women; its most significant results have been:

  - The National Standards for Comprehensive Health Care in the Field of Domestic Violence against Women, whose aim is to provide general technical and administrative guidelines for providing comprehensive health care to women victims of violence, at the various levels of care and from a multisectoral and gender perspective;

  - An integrated system for recording cases of domestic violence;

  - A diagnostic study of the situation with regard to domestic violence, which identifies and assesses the quality and availability of existing prevention programmes and the services provided to women victims of violence. This study was conducted in two geographical areas: Los Alcarrizos, in the National District, and Salcedo province. The population groups studied were women victims of violence, men who had committed assaults, and service providers (public- or private-sector bodies providing support to women victims of domestic violence).

- The State Secretariat of Public Health and Social Welfare (SESPAS) runs care and prevention programmes in the area of domestic violence, such as:

  - The National Programme on Domestic Violence and Sexual Abuse of the Department of Mental Health;

  - The Care Centre for Abused Women, which provides specialized services for women victims of sexual violence, including clinical certification of violence and abuse.

- In the justice sector, the Public Prosecutor's Office of the National District has established the Department of the Family, comprised of two specialists in cases

[26] Established by Decree No. 423-98.

[27] Conducted in six countries: Argentina, Brazil, the Dominican Republic, Mexico, Paraguay and Venezuela.

of domestic violence. The Department's Sexual Abuse Section has dealt with some 400 cases per month.[28]

- The National Programme of Care and Prevention in the Field of Violence against Women, run by the Department of Violence Prevention of the State Secretariat for Women, comprises a number of components. Its functions are to promote mechanisms for reducing domestic violence and sexual abuse and to implement measures to prevent violence, in coordination with various governmental and non-governmental agencies. This programme has two parts, one providing care and services and the other, training.[29] Between January and October 1999 the Department dealt with 680 cases,[30] or 68 per month.
- Development of the National Model for Care and Prevention in the Field of Domestic Violence.[31] This model sets out five strategic areas of care: promotion of a family life free of violence; detection, action and prevention in cases of severe harm; specific care for persons affected by violence; judicial action to repress domestic violence; and support services aimed at promoting lifestyle changes. It also establishes national guidelines in the legal, institutional and local community fields, specifying implementation mechanisms, the target population and the bodies responsible for each area.
- For over 20 years, non-governmental organizations have been working to prevent violence against women, using various approaches and means of intervention.

3.4. Article 4: Special measures

During the period covered by this report, several special measures have been taken in the interest of gender equity in the Dominican Republic:

- Ratification of the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women;
- Establishment of sectoral gender equity units;
- Promulgation of Acts Nos. 12-2000 and 13-2000, introducing quotas for the election of women as Congressional representatives and mayors;[32]
- Special policies within the fight against poverty, targeting single mothers who are heads of households.

3.4.1. **The Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women,** established by the United Nations as a treaty body to ensure follow-up and monitoring of compliance with the Convention by States parties, was ratified by the Government of the Dominican Republic by means of Act No. 111-01 of 8 June 2001. The Optional Protocol provides for the possibility of

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[28] Susy Pola, op. cit.

[29] S. Jansen, "La Violencia Intrafamiliar en la provincia de Salcedo y Los Alcarrizos (Distrito Nacional), República Dominicana: Diagnóstico de Situación", ONAPLAN/IDB, Santo Domingo, July 1998.

[30] Gómez and Galván, CONAPOFA, 2001.

[31] Preliminary document awaiting final revision, May 2001, SEM.

[32] Explained in detail under section 3.7.

making official complaints of violations of women's human rights in the States parties to the Convention.

3.4.2. **Sectoral gender equity units.** Existing in each State Secretariat, and coordinated by the State Secretariat for Women,[33] the purpose of these units is to incorporate a gender perspective at the national level into each State Secretariat's policies, plans, actions, programmes and projects for the integration of women in development. Article 4 of the Decree provides that all government offices shall monitor and evaluate progress in gender-equity plans, policies and strategies and report on them every six months to the State Secretariat for Women, in addition to coordinating implementation of the necessary adjustments in their respective fields, to ensure compliance with international agreements and commitments entered into by the State.

A Gender Subsecretariat has been created within the State Secretariat of Labour, the purpose of which is to give impetus to gender equity within that institution. This recently created Subsecretariat is working on an orientation programme with women workers who emigrate to Spain and planning the creation in 2003 of a Gender Equity Office.

3.4.3. **Poverty reduction policies**

The Government's social policy is aimed at helping to reduce poverty. To that end, priority has been given to the country's poor women as a target population. Activities in this area include:

- The Programme for Micro-, Small and Medium-sized Enterprises (PROMIPYME),[34] created in 1997 to promote competitiveness, efficiency and integrated development in that sector and promote the creation of new productive employment and new sources of income for families, has joined the group of institutions making up the President's Social Affairs Cabinet. One of its main policies is to promote access to credit for women.
- The President's Anti-Poverty Programme (PPCP) emphasizes support for women's initiatives and activities, through financial support for institutions, such as the State Secretariat for Women,[35] which run programmes in support of poor women. For 2002, the Programme has set up 10 types of activities aimed at compliance with the CEDAW Convention in such areas as financing, infrastructure, housing, and support for the anti-domestic violence plan. The goal of the planned activities is to overcome the problem of extreme poverty among women with disabilities, older women, women working in the free-trade zones or in the sex industry, and women migrants.[36]
- Comunidad Digna (Community with Dignity) is a poverty reduction action plan elaborated by ONAPLAN on the basis of results derived from the survey on the concentration of poverty. Its activities to help women include:

[33] Created by Presidential Decree No. 974-01 of 26 September 2001.

[34] Part of the State Secretariat for Industry and Commerce.

[35] In its first year of activity, the Anti-Poverty Programme donated 10 million pesos to the State Secretariat for Women.

[36] The Programme submitted its report on 17 September 2001 for the preparation of this fifth periodic report to CEDAW.

- Support for the creation of production cooperatives and women's small-enterprise initiatives, in order to help lower unemployment among women. One such example is the cooperative of workshops producing clothing and other textile products; support is provided by the State Secretariat for Women at a cost of 60 million Dominican pesos;[37]
- Support for vulnerable female-headed households, through the distribution of coupons having a value of 500 pesos per month for the purchase of services provided by the Price Stabilization Institute (INESPRE)[38] and the *comedores económicos* or community kitchens. This policy focuses on single mothers; it benefits an estimated 60 per cent of single mothers who are heads of poor households with children under 14, in areas which have been given priority owing to high poverty levels.

3.5. Article 5: Sociocultural patterns of conduct

3.5.1. Gender equity in the media

The progress identified during the Assessment of the Beijing Platform for Action,[39] in the area of women and the media, includes the following:

- Radio broadcasts,[40] mostly regional, designed to work against gender discrimination; they involve feminist women or are run by women's organizations. Also, some newspapers or magazines have columnists who write from a gender viewpoint and discuss matters relating to gender discrimination;
- Greater involvement by women in the media;
- An increase in the number of women entering careers in communications and advertising.

Despite this progress, however, women's participation fails to reflect the wide variety of roles they play in today's society and there has been no increase in the number of women holding management positions in the media sector. The aforementioned Assessment reflects the absence of a gender policy in the media and the undiminished presence of masculine behaviour patterns, sexist practices and language, the perception of women as objects of sex and violence and the traditional stereotyped roles which fail to reflect the lives of today's women.

As is the case in civil-society organizations and institutions, the State Secretariat for Women has been striving to improve public awareness at various levels, taking advantage of opportunities such as the 8 March and 25 November celebrations and parliamentary and municipal elections.

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[37] Angela Hernández, "Diagnóstico de género en la reforma y modernización del sistema de planificación", SEM, UNDP and UNFPA, April 2000.

[38] INESPRE provides low-cost foodstuffs.

[39] "Evaluación de la Aplicación de la Plataforma de Acción de Beijing en la República Dominicana, 1995-2000", SEM, Santo Domingo, Dominican Republic, May 2000.

[40] Many of the radio stations involved in this activity belong to the Roman Catholic network.

3.6. Article 6: Prostitution

There are as yet no studies showing the numbers of people working in the sex industry in the Dominican Republic or elsewhere, but prostitution clearly remains an alternative source of income for Dominican women. Estimates produced by the Centre for Overall Guidance and Research (COIN)[41] suggest that in 2000 there were some 100,000 sex workers in the country, compared with 60,000 in 1998.

COIN reports that a clear change has occurred in the modalities of sex commerce within the country. Since 2000, the sex business has been showing up in the guise of centres for social activities, such as liquor stores, car washing establishments and cafés. New premises are set up or old ones refurbished to house such activities, which are culturally much more acceptable. There has also been a rise in the number of self-employed women known as "beeper girls" or "cell-phone girls".[42] The lack of survey data makes it unclear whether there has been a substantial increase in the number of prostitutes or whether those who are self-employed have merely become more obvious.

At the international level, the COIN estimate also stands at about 100,000 women.[43] In 1991, the number of female Dominican sex workers outside the country was already estimated at 50,000.[44] Working in the sex industry abroad is no longer a stigma but rather a socially acceptable way of earning a living, as has been reported by many people working in the communities of origin and by the sex workers themselves.[45] Their main destinations abroad are Latin America and the Caribbean (nine countries) and Europe (seven countries). While prostitution has taken new forms within the Dominican Republic, the variety of countries of destination for those going abroad has increased.

The steps taken by the Government to deal with this situation include:

- The establishment of the Inter-agency Committee for the Protection of Migrant Women (CIPROM), already mentioned above. In 2001 CIPROM implemented a collaborative plan, working with partners including civil society organizations and governmental and international bodies. The plan comprises investigation of the real size and scope of the problem, media campaigns, training workshops for leaders in order to disseminate information, training for public- and private-sector bodies associated with CIPROM or concerned with the issue of trafficking in women, creation of centres to provide care to women who have returned to the country and development programmes in the areas of employment and health. These last two areas have been identified as needing

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[41] Interview with Francisca Ferreira, General Coordinator of COIN. This non-governmental organization conducts a yearly survey in its areas of coverage, which are five of the country's main provinces: Santo Domingo, the capital, and Santiago, San Cristóbal, San Pedro de Macoris and La Romana.

[42] These are generally young women, either students or workers, who practise prostitution to cover the cost of their studies or to improve their incomes and social status and to acquire items which they could not afford as low-income wage-earners.

[43] This estimate is based on reports received by COIN from European organizations working with immigrants.

[44] Gina Gallardo Rivas, "Tráfico de mujeres desde la República Dominicana con fines de explotación sexual" SEM and IOM, Santo Domingo, Dominican Republic, May 2001.

[45] Ibid.

attention, but the necessary human and financial resources for any action are not yet available.

- The establishment of an agreement in April 2001 between the State Secretariat for Women and the International Organization for Migration (IOM) to develop a programme to prevent and combat trafficking in women for purposes of sexual exploitation. It also provides for prevention and information activities, help for those wishing to return to the country and reintegration of the victims of trafficking, training and support for institution-building in the public and non-governmental sectors, surveys to assist in policy making and planning and the drafting of anti-trafficking legislation.

- Raising awareness among government officials dealing with the problems of trafficking in persons and prostitution, such as officials of the State Secretariat of Foreign Relations and its representations in foreign countries, particularly in the receiving countries, and the State Secretariat of Tourism, the National Police and others.

- Signing of the Protocol against the Smuggling of Migrants by Land, Air and Sea, supplementing the United Nations Convention against Transnational Organized Crime, United Nations, December 2000.

COIN has also drawn attention to other positive developments:

- The strengthening of the United Women's Movement (MODEMU), an association of about 500 sex workers;

- Improved control over sexually transmitted diseases and HIV/AIDS by women working in brothels and the "entertainment industry";

- Greater openness by sectors of society which traditionally shunned sex workers, such as women's organizations and the media;

- Increased awareness and stronger leadership among women; of the 500 women belonging to MODEMU, about 100 take part in and are members of other organizations and community bodies, particularly in the areas of health, violence and human rights.

The remaining obstacles include the following:

- The lack of social development programmes targeting poor female sex workers;

- The absence of a well-defined legal framework, in particular in relation to the need to penalize trafficking in persons;

- Poor knowledge and understanding of international law and agreements in relation to migration and trafficking in persons.

3.7. Article 7: Public life and political participation

Women continue to participate actively in politics at all levels and can be said to be doing so in steadily growing numbers. One factor in this has been the seriousness with which women's organizations and the leaders of the women's movement have focused on fighting for the right of women to run for elective office.

3.7.1. Participation in the various branches of Government

As stated in the previous report, the Dominican Republic holds elections every four years for executive, legislative and local government offices, with a two-year interval between the executive office elections and the others.

The legal basis for the right of women as citizens to stand for election is to be found in Act No. 12-2000, which establishes a 33-per-cent quota for women candidates to Congress, and in Act No. 13-2000, which provides that women must be nominated as mayoral or deputy-mayoral candidates.[46]

In general, the participation of women in the different sectors shows a marked improvement as to the number and quality of the posts held. There is, however, an inverse ratio between participation and echelon, for the higher the level the fewer the women. Moreover, the number of women in politics is at this point still below the legally mandated quota for female candidates. Nevertheless, for the first time we have a woman Vice-President, and 37 per cent of the judiciary are women. On the other hand, we have seen a slight decline in the proportion of women in Congress since the previous term (14.2 per cent in the 2002-2006 term as compared to 14.5 per cent in the 1998-2002 term).

3.7.1.1. The Executive Branch

In the Executive Branch, ranging from the President to the deputy directors of departments, women hold 17.6 per cent of the senior decision-making posts. That percentage reflects the high proportion of women who are governors (34.5 per cent) and directors of special agencies, particularly the civil registry offices (45 per cent).

No woman has ever run for the post of President of the Republic, the highest executive office, in the country. Three women[47] have run for the Vice-Presidency, one of them being the current Vice-President.

In 2001, there was the same inverse ratio between participation and rank, in that women comprised 11.8 per cent of the ministers, 16.7 per cent of the deputy ministers, 19 per cent of the department chief, chairpersons and general administrators, and 22 per cent of the deputy chiefs, deputy administrators and vice-chairpersons.

3.7.1.2. The Legislative Branch

Despite the adoption of Act No. 12-2000 establishing a 33-per-cent quota for female candidates for posts as deputies, their level of representation in Congress, following the 2002 elections, has declined slightly compared to the previous term. A total of 14.3 per cent of the current Congress (2002-2006) are women, as opposed to 14.5 per cent in the 1998-2000 Congress. In the Senate there are two women, the same number as in the previous term, representing a 6.2-per-cent participation by women. In the Chamber of Deputies, the number of women remained at 24, or about 16 per cent (see table 6).

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[46] See sect. 3.4 above.

[47] In 1962, Josefina Padilla of the National Civic Union, in 1996, Maribel Gassó of the Social Christian Reformist Party (PRSC) — neither of which won the election — and in 2000, Milagro Ortíz Bosh, currently Vice-President, Minister of Education and Chairperson of the Social Affairs Cabinet.

Table 6
Distribution of congressional representatives by elective office and sex 1994, 1998 and 2002

Type of election and year	*Women elected*		*Men elected*		*Total*	
	Number	*%*	*Number*	*%*	*Number*	*%*
Lower House						
1994	14	11.7	106	88.3	120	100
1998	24	16.1	125	83.9	149	100
2002	24	16	126	84	150	100
Senate						
1994	1	3.3	29	96.7	30	100
1998	2	6.6	28	93.4	30	100
2002	2	6.2	30	93.8	32	100
Total						
1994	15	10	135	99	150	100
1998	26	14.5	153	85.5	179	100
2002	26	14.3	156	85.7	182	100

Source: Tables prepared by the Programme on Women and the Citizens' Participation Policy, based on data from the Central Elections Board.

3.7.1.3. The Judicial Branch

Although there have been no substantial changes in the judiciary and the pattern, as in the other branches, is that fewer women are to be found in the upper echelons of the hierarchy, this is the only branch of government that has maintained the 33 per cent participation by women established by law.

For instance, since August 1997, 33 per cent of the Supreme Court justices have been women, which was not the case in 1993. In the appeals courts, although the overall percentage of women declined from 30.7 per cent in 1993 to 25 per cent in 1999, they have nevertheless risen in the ranks and now constitute 20 to 35 per cent of the presiding judges. The highest proportion of women in the judiciary is in the land courts, where as many as two thirds of the judges are women (52 per cent in 1993, 46 per cent in 1999 and 62 per cent in 2000).

3.7.1.4. Local government[48]

(a) The involvement of women in municipal government has progressed more rapidly. Indeed, pursuant to Act No. 13-2000, which provides that women must be put forward as mayoral or deputy-mayoral candidates, nine women have been elected mayors (representing 7 per cent of the total), whereas previously only 2 per cent of those elected mayor were women. Also, again as a result of Act No. 13-2000, 92.8 per cent of municipalities have a female deputy mayor.

(b) In addition, breakdown by gender of local city council posts shows that the number of women in city councils has doubled since 1994. In the recent

[48] Data compiled by the Programme on Women and the Citizens' Participation Policy, July 2002.

elections, 218 councilwomen were successful, representing 27.7 per cent, as against 25.5 per cent (193 councilwomen) in the 1998-2002 term.

3.7.1.5. Other power-wielding bodies

3.7.1.5.1. Political parties

It cannot be said that women have advanced to leadership posts in the political parties. In 1996, in two of the three major parties that succeeded each other in power in the last three Administrations, women held 31 per cent and 44 per cent respectively of the leadership positions. However, in the party currently in power — even though it is the first party to have won an election with a female Vice-President on the slate — barely 8.7 per cent of the leadership are women.

The figures for the last three Administrations are as follows:

1990-1994 and 1994-1996: Social Christian Reformist Party (PRSC), 31 per cent;

1996-2000: Dominican Liberation Party (PLD), 44.2 per cent;

2000-2004: Dominican Revolutionary Party (PRD), 8.7 per cent.

Although we do not have updated statistics on women as political party representatives in either quantitative terms (number of women in the leadership) or qualitative terms (the power to call meetings, to mobilize forces, to forge alliances and to negotiate), there is clear evidence on the public scene that the women within the parties have become more proactive in demanding and fighting for a place among those nominated for office and that they are putting their particular concerns more effectively before the public.

Also, the Women's Forum of Political Parties of the Dominican Republic was established on 18 August 1999 as a multiparty arena where Dominican participation in the Central American Regional Women's Forum of Political Parties can be consolidated. One of the goals of the National Women's Forum is to spearhead an ongoing review by the Dominican parties of their structures, principles and general guidelines in order to help strengthen gender equality and develop leadership under equal opportunity conditions. Accordingly, one of its priorities has been to implement the Beijing Platform for Action.[49]

The Assessment of the Beijing Platform for Action in the Dominican Republic issued by the State Secretariat for Women (SEM) in May 2000, referring to the exercise of power and decision-making by women, singled out the greater visibility given to women's priorities in political party statements as an achievement. That has been the trend in the last three electoral campaigns, and has included the use of non-sexist language by political candidates. Furthermore, proposals coming from the women's movement and women politicians have increasingly been incorporated into the party platforms. Although this development can be traced back to the Programa Mínimo Feminista, a pro-feminist platform of the early 1990s, the parties began to endorse such considerations especially after the 1994 elections. Recommendations made under the Equality Opportunity for Women Plan were incorporated into the

[49] As indicated in a statement by the Women's Forum of Political Parties cited in the Assessment of the Beijing Platform for Action in the Dominican Republic.

1996 party platforms, the 1998 congressional and municipal elections, and the platforms of two of the three major parties in the 2000 presidential campaigns.[50]

3.7.1.5.2. Trade unions and professional associations[51]

The participation of women in the governing bodies of trade unions ranges from 15 per cent in the National Confederation of Dominican Workers (CNTD) to 31 per cent in the General Union of Workers (CGT).

The situation with regard to professional unions remains the same as described in the previous report. The representation of women in the leadership of the three unions with the highest professional membership[52] is no more than 25 per cent.

3.8. Article 8: Diplomatic representation

The number of Dominican women representing the Government abroad has continued to rise. At this time, women comprise 17 per cent of ambassadors. They make up one third of the consular representation abroad in terms of salaried consular posts, although that proportion declines in the case of honorary consular posts.

Table 7
Consular representation abroad by post and by sex (November 2001)

Post	*Total*	*Women*	*%*	*Men*	*%*
Total	**273**	**93**	**34**	**180**	**66**
Consul General	40	15	38	25	63
Vice-Consul	77	25	32	52	68
Consular Assistant	76	35	46	41	54
Honorary consuls					
Honorary General Consul	11	2	18	9	82
Honorary Consul	65	15	23	50	77
Honorary Vice-Consul	4	1		3	75

Source: State Secretariat for Foreign Relations, Human Resources Department.

There has been a decline in representation by women in the permanent missions to the United Nations in New York and Geneva, to the Organization of American States (OAS) and to the United Nations Educational, Scientific and Cultural Organization (UNESCO). Of the four delegations with women members, for the last six years only the one to UNESCO has still had a woman with the rank of Permanent Ambassador.

In November 2001, women accounted for 53 per cent of the total personnel in Dominican missions to international agencies. Although there were an equal number

[50] See SEM Assessment.

[51] S. Jansen, 31 July 1998, Santo Domingo, Dominican Republic.

[52] These are the Dominican Medical Association (AMD), the Dominican Teachers' Association (ADP) and the Dominican College of Engineers, Architects and Surveyors (CODIA).

of women and men in the delegations, the equality did not extend to the level or rank at which they served, there generally being an inverse ratio between the level of the post and the participation of women: 17 per cent of ambassadors were women, 58 per cent were ministers and 89 per cent were secretaries.

Table 8
Representation in Dominican missions to international bodies (United Nations Headquarters and Geneva Office, OAS and UNESCO) (November 2001)

Post	*Total*	*Men*	*Women*	*Percentage of women*
General total	**47**	**22**	**25**	**53**
Ambassadors	**12**	**10**	**2**	**17**
Permanent Representative	3	3	-	
Alternate Representative	4	4	-	
Alternate	3	3	-	
Alternate delegate	1		1	
Permanent delegate	1		1	
Ministers	**26**	**11**	**15**	**58**
Minister Counsellor	9	5	4	
Counsellor	15	5	10	
Economic Counsellor	1	1	-	
Honorary Cultural Attaché	1	-	1	
Secretaries	**9**	**1**	**8**	**89**
First	8	1	7	
Second	-	-	-	
Third	1	-	1	

Source: State Secretariat for Foreign Relations, Human Resources Department.

Since the last report, the Dominican Republic has become part of the Executive Committee of the OAS Inter-American Commission of Women (IACW), of which it is a member.

In January 2000, the State Secretariat for Foreign Relations set up an office for matters relating to women, boys, girls and adolescents, attached to the Division for International Bodies and Conferences, including the United Nations and OAS.

3.9. Article 9: Nationality

3.9.1. Dominican women of Haitian descent

The definition of nationality directly affects Dominican women of Haitian descent, who also are part of the poorest group in the country, those living in the sugar mill camps.

According to the Population and Health Censuses (ENDESA) of 1991 and 1996, two thirds of the immigrant population in the Dominican Republic are Haitian, and the percentage rose from 63 per cent to 68 per cent in the intervening period. However, the 1996 census showed that 49 per cent of the registered immigrants then in the country had come in the years between 1990 and 1996. In the previous decade, from 1980 to 1989, Haitians had comprised only 25 per cent of all immigrants. The increase was probably due to the social and political events in Haiti since 1986.[53]

Some of the steps the Government has taken to deal with the situation are the following:

- A new proposed immigration bill has been drafted, encompassing the main proposals made by a number of civil society organizations working with Dominicans of Haitian descent and Haitian immigrants;
- Agreement has been reached between the State Secretariat of Education and the Central Elections Board to streamline the procedures for obtaining birth certificates needed for school enrolment. This is an important step not only for Dominicans of Haitian descent but also for the poorer segments of the population and the rural population, who are the most likely to be late in declaring the birth of children.

3.10. Article 10: Education

Over the last 15 years, indicators of access to education have shown that women have progressed more steadily than men. Illiteracy rates have dropped significantly for both sexes and the gap between them narrowed and was even reversed in 1996 when there was slightly more illiteracy among men, mainly in rural areas. This situation continues and 51 per cent of the school intake for 1998/1999 was made up of women. That percentage was even higher among adult learners.

There are no great differences between the two sexes in terms of levels of education, with slight variations in the extent to which the respective figures have changed. Between 1996 and 1999, the percentage of women with no schooling dropped from 16 to 11 per cent, and that of men from 18 to 10 per cent, representing more of a change among the latter. The proportion of women with primary schooling fell slightly from 56.4 to 55.6 per cent, while the proportion of men remained at 56.5 per cent. The proportions for secondary and higher education increased for both sexes, the increase being higher among men. That means that, although women have continued to make progress compared with 1996, men advanced more quickly during the same period (see annex 3).

Women make up 70 per cent of the enrolment in technical and vocational education, mainly in urban areas. Technical and vocational education has taken on considerable importance. Between 1982 and 1995, the proportion of women graduating from the National Institute of Technical and Vocational Training (INFOTEP) increased from 24 to 39 per cent, i.e. by 1 per cent per year, compared

[53] *Source*: Francisco Cáceres Ureña and Frank Báez Evertsz, "Bases para una política de población y desarrollo en República Dominicana: Funcionalidad económica y social de la migración internacional e interna" (a joint publication of the National Council for Population and the Family (CONAPOFA), the State Secretariat of Public Health and Social Welfare (SESPAS) and UNFPA, August 2001).

with a rise from 39 to 44 per cent between 1995 and 1997, i.e. an annual increase of about 2 per cent. In 1997, 80 out of 100 students graduating from INFOTEP were women. The following achievements should be mentioned in response to paragraph 348 of the Committee's suggestions and recommendations to the fourth report concerning vocational/technical training and non-traditional jobs:

- Distance education and occupational training for women in coordination with about 15 non-governmental organizations (including Escuelas Radiofónicas Santa María, APEC University, PROFAMILIA, IDENTIDAD and Centro de Solidaridad para el Desarollo de la Mujer (CE-MUJER));
- Technical and vocational training, work-training and training in administration for small and medium-sized enterprises;
- Access by both sexes to polytechnical colleges, vocational centres and technical training institutes formerly reserved for one gender without restrictions on the type of profession or career chosen;
- Two videotapes produced in conjunction with the non-governmental organization CE-MUJER promoting work-training in non-traditional areas for women and the integration of the family into domestic work.

According to the gender diagnostic survey on reform and modernization of the education system,[54] departmental ordinance I-95 establishing the curriculum for basic, middle, special and adult education outlines the standards for introducing the principle of gender non-discrimination in the various levels of education. The standards are specifically reflected in the aims of each level and more generally included in the teaching/learning strategies and content. Work is still being done on achieving gender equity in training for managerial and technical staff at the central, regional and district levels.

The 96 public and private Dominican institutions and organizations assessing the implementation of the Beijing Platform for Action in terms of women and education identified the following achievements:[55]

- Additional resources for education as a result of an increase in the national budget and a mobilization of funds from international institutions and civil society; increases in the financing of special programmes (e.g. for computers); financing from the World Bank for the educational reform process;
- National adult literacy seminars and programmes involving many female teaching staff and students; strengthening of basic education options;
- Considerable improvements in books for adults (non-sexist language, characters physically resembling the country's general population, improved presentation).

3.11. Article 11: Employment

The previous report made it clear that the Constitution and the Labour Code establish the principle of non-discrimination against women in respect of their right

[54] Gineida Castillo Diaz, "Diagnóstico de género en la reforma y mordernización del sistema educativo", SEM, UNDP and UNFPA, April 2000.

[55] Assessment of the Beijing Platform for Women, 1995-2000, SEM, May 2000.

to work and their rights relating to free choice of employment, maternity protection and breastfeeding.

Some of these rights have not yet been put into practice with the creation of suitable ways of enforcing the existing legal provisions that protect female workers' right to breastfeed, and the establishment of day-care centres. Those rights were established by Act No. 87-01 creating the Dominican social security system and introducing, inter alia, benefits for unemployed single mothers, day-care centres, maternal and child health services, services for older people, survivors' pensions and breastfeeding subsidies for the poorest women.

Reforms benefiting domestic workers have also been introduced into the Labour Code (see 3.11.3).

General employment trends between 1996 and 1999 were as follows:[56]

- Net increase of 25,000 jobs in free-trade zones (lower increases than for the periods 1983-1986 and 1990-1993);
- Average annual increase of about 5,000 workers in the hotel industry within the tourism sector (less of an increase than during the 1980s and early 1990s);
- Increase of 34,000 government employees (central government, independent and decentralized institutions and local authorities); slightly higher increase than in previous periods;
- Considerable instability in the microenterprise sector. Between March 1998 and March 1999, 263,000 jobs were created and 208,000 were lost. In 1999, sole proprietorships and self-employed workers constituted 50 per cent of the businesses set up within the previous 12 months. In this sector, 21 per cent of workers receive no remuneration; 40 per cent of their owners earn less than 2,000 pesos a month and 68 per cent earn less than 5,000 pesos a month. There were also only 125,000 to 150,000 relatively stable jobs in the formal economy during that time, representing a much lower annual increase than the rise in the work force. Most of the increase took place in the informal sectors, as measured, in particular, by the approximately 260,000 additional workers employed in micro and small enterprises;[57]
- Self-employment accounted for 65 per cent of the jobs created between 1991 and 1999.

3.11.1. Women[58]

Generally speaking, although unemployment among women remains high, their participation in the labour sector has increased and is now rising by almost 2 per cent per year (female workers represented 43 per cent of the workforce in 1996 and 49 per cent in 1999).

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[56] N. Ramírez, "Tendencias en la generación de empleos en RD", CESDEM, Holy/Areito special, 2000. Employment that was indirectly generated by tourism and free-trade zones were not included, as the author felt that the figures were speculative and should be recorded under the relevant sectors; eg., food vendors on the outskirts of the free-trade zones should be considered part of the trade sector.

[57] N. Ramírez, "El PIB y el desarrollo: el mito reiterado", CESDEM, Holy/Areito special, 2000.

[58] ENDESA 1999, CESDEM-USAID, September 2001.

In 1999, over one third (37 per cent) of working women were employed by a relative and 5 per cent did not receive any remuneration for their work; 52 per cent were employed by others and 11 per cent were self-employed. The main differences between urban and rural areas relate to whether the work was remunerated: 9 per cent of family employees in rural areas receive no pay, whereas only 3 per cent in urban areas are unpaid. Those percentages are the same among self-employed female workers (9 per cent unpaid in rural areas and 3 per cent in urban areas). It is the youngest and oldest self-employed workers who receive no pay (14 per cent of those aged between 15 and 20 and 9 per cent of those aged 45 to 49).

3.11.2. Unemployment

The fall in unemployment over recent years is mainly the result of the development of the microenterprise sector. Between 1992 and 1996, the unemployment rate dropped from 20.7 per cent to 16.5 per cent; in April 1997, it had fallen to 15.9 per cent[59] and in 1998, it was 14.7 per cent. Unemployment among women was almost three times higher than rates among men (24 per cent and 9 per cent, respectively).[60]

Female unemployment is more prevalent among younger women, with two fifths being women under the age of 24. There is hardly any difference in unemployment rates between men and women over the age of 60, which could indicate that women are retiring at a later age. Unemployment is considerably higher among poor women, given that, generally speaking, unemployment among the lowest-income group is 41 per cent, while it is only 7 per cent among those with the highest incomes.

In 1999, 51 per cent of women of reproductive age were not working, 39 per cent worked throughout the year and the remaining 10 per cent were seasonal or casual workers. In 1996, 57 per cent did not work, 36 per cent worked all year and 6 per cent took seasonal or casual work.[61] Women mainly work in the informal sector, the most unstable in the economy.

3.11.3. Paid domestic employment

In 1998, 22 per cent of the 3,517,194 paid workers were domestic workers, 97 per cent of whom were women. This means that almost a quarter (21 per cent) of paid workers are women involved in domestic work. These female workers contribute 10.3 per cent of GDP.[62]

Despite their contribution to GDP, the rights of female domestic workers are the least well protected. Since the few rights they do have are covered by special provisions of the Labour Code, they are excluded from all the provisions benefiting other workers. In 1999, however, the law extended their rights by establishing: the "thirteenth month" or end-of-year bonus to be paid in December, two weeks' paid annual leave and permission from the employer to go to school or to the doctor or health centre when ill (provided that this is compatible with the working day on the

[59] Isidoro Santana (Fundación Siglo 21), "Distribución del ingreso y pobreza en la sociedad dominicana: tendencias recientes", Revista Población y Sociedad No. 19, January-April 1998, CESDEM.

[60] "Desarrollo humano en República Dominicana 2000", UNDP.

[61] ENDESA 1999, CESDEM-USAID, September 2001.

[62] "Desarrollo humano en República Dominicana 2000", UNDP.

date(s) agreed with the employer). Since 1948, female domestic workers have been legally recognized as being registered with social security; cover includes illness, maternity, disability and death.[63]

In practice, however, these rights are at the employer's discretion. Another reason behind the limited enforcement of these rights is that they are not widely circulated and are practically unknown to both the female employees[64] and their employers.

3.11.4. Concrete actions to stimulate employment

In January 2002, a Gender Subsecretariat was established within the State Secretariat of Labour to promote gender equity in labour programmes and policies and in the internal functioning of the Secretariat. The Subsecretariat is currently planning to set up a Gender Equity Office in 2003.[65]

In addition, the Government's social policy has prioritized job creation and has concentrated its efforts to combat poverty on the development of micro, small and medium-sized enterprises through credit facilities and technical, managerial and vocational training.

According to the management report on the first six months of this Subsecretariat (April-September 2001),[66] 95 million pesos' worth of credit facilities were invested through PROMIPYME for the promotion of micro and small enterprises. The monthly interest rate was 1.2 per cent, whereas banks charge 2 per cent per month. These loans have benefited 6,215 microenterprises and are intended for small enterprises that do not qualify for access to the national financial system. Priority for loans and technical training and assistance is given to women-owned micro, small and medium-sized enterprises.

Between August 2000 and June 2001, 59 per cent of those who benefited from PROMIPYME training programmes were women; 43 per cent of participants in the educational and orientation workshops were women and 60 and 51 per cent of the loans granted through the President's Anti-Poverty Programme (PPCP) were awarded to women. The programme in support of civil society created a line of credit (almost 26 million pesos disbursed o[illegible] 39 million approved) in which seven non-governmental organizations running women's credit programmes act as intermediaries. Non-governmental organizations that work specifically with women received 44 per cent of the funds allocated.

As part of *Comunidad Digna*, the project on production cooperatives for women is aimed at reducing unemployment among women by supporting the creation and operation of production cooperatives and small-enterprise initiatives. The cooperative of clothing and textile workshops operated by SEM cost 60 million pesos.[67]

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[63] Centro de Investigación para la Acción Femenina (CIPAF), "Esto no es un juego: un estudio exploratorio sobre el trabajo doméstico en hogares de terceros", September 2000.

[64] According to a survey of 310 women carried out by the Female Domestic Workers' Association (with 350 members in Santo Domingo), only 4 per cent of those surveyed knew their rights.

[65] *Source*: Sonia Díaz Inoa, Gender Subsecretariat, State Secretariat of Labour.

[66] "Management report April-September 2001", Social Affairs Cabinet, Governing Board, Executive Unit, Dominican Government at the service of the people.

[67] A. Hernández, SEM, April 2000.

3.12. Article 12: Health[68]

3.12.1. Indicators of the sexual and reproductive health of Dominican women

Lower fertility rate

During the past few years, the fertility rate in the Dominican Republic has fallen from 3.2 in 1996 to 2.7 in 1999. This decrease has been greatest in rural areas, where the rate has fallen from 4 to 3; in urban areas it has fallen from 2.8 to 2.4. The desired fertility rate also fell from 2.5 to 2 between 1996 and 1999.

Spacing between births increased from 29 months to 31 months between 1996 and 1999. This indicator has a bearing on the decrease in both the average number of births and the risks of childbirth (low birth weight, infant malnutrition and infant mortality). Spacing is closer in rural areas than in urban areas (29 and 32 months, respectively) and is, of course, closely related to levels of education; it is wider among more highly educated women and varies from 28 months for women with one to four years' schooling to 35 months for women with a secondary education. In 1999, five per cent of all women aged 15 to 49 and nine per cent of uneducated women in that age group were pregnant at the time of the census.

Lower adolescent pregnancy rate

Although the adolescent pregnancy rate fell from 23 per cent to 21 per cent between 1996 and 1999, it remains very high; one in five adolescent girls (aged 15 to 19) has conceived and one in three is a mother by age 18 or 19. These percentages are considerably higher among the less educated: 30 per cent of adolescents with a primary education or less, in both rural and urban areas, have been pregnant. This situation is worsened by the fact that very little sex education is provided by the schools.

Better prenatal care

In 1999,[69] health care for mothers and babies improved slightly:

- 99 per cent of children born during the five years preceding the census (98 per cent in 1996) received prenatal care from a doctor;
- 86 per cent of mothers received two or more tetanus vaccinations.

Increase in attended births and improvement in the physical condition of children born alive

The 1999 statistics on attended births in hospitals are slightly better than in previous years:

- 97 per cent of births (95 per cent in 1996) took place in hospitals; 2 per cent took place at home;

[68] The 1999 statistics are taken from the Population and Health Census (ENDESA-99) and the Centre for Social and Demographic Studies (CESDEM)/United States Agency for International Development (USAID), September 2001.

[69] According to the above-mentioned ENDESA-99 census.

– 96 per cent of births (92 per cent in 1996) were attended by doctors. The number of births attended by nurses and nursing assistants fell from 4 per cent to 2 per cent between 1996 and 1999; the number attended by midwives fell from 3 per cent to 1 per cent.

However, births by Caesarian section increased from 26 per cent in 1996 to 28 per cent (33 per cent among women over 35 and 51 per cent among women with a higher education) in 1998.

Female morbidity

In 1998, the primary reasons for medical visits to State Secretariat of Public Health and Social Welfare (SESPAS) clinics by women of reproductive age were respiratory infections (17 per cent), pregnancy (11 per cent), vaginitis (11 per cent), arterial hypertension (8 per cent), malnutrition (7 per cent), acute diarrhoea (7 per cent) and urinary tract infections (4 per cent).

3.12.2. Lower incidence of maternal mortality and high-risk cases

The maternal mortality rate has fallen slightly from an estimated 229 deaths per 100,000 live births in 1983-1984 (ENDESA-96) to 123 deaths per 100,000 live births in 1999 (Infant and Maternal Mortality Tracking System).[70] The primary causes of death recorded are toxaemia (46 per cent), complications following abortion, which is illegal under any circumstances (19 per cent), haemorrhage (11 per cent) and cardiopathy. This decline may also be related to the creation of the SESPAS Maternal Mortality Tracking Committees, which investigate cases of maternal mortality in the public health system in order to improve the quality of service.

According to SESPAS records, the primary causes of death among women are heart attack (15 per cent), acquired immunodeficiency syndrome (AIDS) (6 per cent) and uterine cancer (3 per cent); this last-mentioned is related to the fact that few women (only 27 per cent in 1996) undergo Pap tests. Although we have no breast cancer statistics, such cancers are likely to be quite prevalent, since in 1996 only 11 per cent of women aged 15 to 49 had had breast examinations during the past year. In the National District, AIDS, death by violence and cancers unrelated to the reproductive system account for 12, 10 and 10 per cent of deaths, respectively.[71]

According to the above-mentioned ENDESA-99 census, the percentage of high-risk pregnancies has fallen during the past five years from 49 per cent (in 1996) to 44 per cent; the percentage of women at risk of conceiving a high risk child has fallen from 36 per cent to 31 per cent during that period.

[70] Statistics provided by Dr. Peña and taken from the 2001 evaluation study of the Infant and Maternal Mortality Tracking System.

[71] Gómez and Galván, 2001 (cited in Cáceres Ureña, 1998).

3.12.3. AIDS[72]

As at March 2001, the total number of recorded cases of persons living with human immunodeficiency virus (HIV)/AIDS was 11,079, 35 per cent of whom are women. Sexual transmission remains the most commonly reported category. Young people aged 15 to 24, of whom 46 per cent are women, account for 13 per cent of such cases. The statistics for 2000 confirm that 2.2 per cent of the adult population is HIV-positive; an estimated 2.4 per cent of that population will be HIV-positive by 2005.

SESPAS[73] recently established in State hospitals (which cover an estimated 75 per cent of the country) a programme designed to reduce the vertical transmission of AIDS from mothers to children by administering an antiretroviral drug[74] to mother and baby and encouraging delivery by Caesarian section and formula feeding.

According to ENDESA-99, knowledge of AIDS is universal in the Dominican Republic, without distinction as to level of education, place of residence or age. However, the perception of risk is not universal; only 88 per cent of women and 94 per cent of men know that a seemingly healthy person may have AIDS. With respect to types of protection, 5 per cent of women stated that they did not know what to do to prevent transmission; this percentage is higher among uneducated women (13 per cent) and women with four years' education or less (10 per cent).

3.12.4. Fundamental reforms

- There were two major legislative reforms in the health sector during the period 1998-2001: promulgation of Act No. 42-01 of 8 March 2001 (the Health Act) and of Act No. 87-01 of 8 May 2001, which created the Dominican Social Security System (SDSS); the objectives of the latter Act include the advancement of women and the reduction of poverty.
- The Health Act covers equity in general, universality and harmonization. It envisages the participation of civil society organizations and the private sector through the creation of mechanisms for coordination, communication and exchange of information between the relevant institutions and their participation in decision-making bodies such as the National Health Council.
- Priority is given to population groups living below the poverty line, including women, and especially to pregnant women, children under 14, older persons and disabled persons.
- Services focus on the care of mothers and children and the prevention of maternal and infant morbidity and mortality.

3.12.5. Advances in the health sector

According to the Assessment of the Beijing Platform for Action in the Dominican Republic,[75] the primary achievements in the area of women's health are:

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[72] Presidential Council on AIDS (COPRESIDA) statistics as at September 2001.

[73] Information provided by Dr. Guerrero of COPRESIDA.

[74] Nevirapine.

[75] State Secretariat for Women (SEM), May 2000.

- Reduction of the maternal mortality rate and increased access to mother and child care services through, inter alia, the establishment of the Maternal Mortality Tracking Committees;
- Establishment of a gender policy by the SESPAS Epidemiology Department; this includes programmes and activities to promote the health of families, women, newborns, children, adolescents and young people;[76]
- Creation of the Intersectoral Committee on Gender and Reform as a forum for study and policy-making in the health sector. Its achievements include the development of indicators to evaluate the quality of health care;
- Expansion and strengthening of the health programmes implemented by the Government and by non-governmental organizations by, inter alia, increasing the number of clinics in rural areas, ensuring greater access to HIV tests, equipping health centres, creating new reproductive health centres and providing more health-care workers to communities in the interior of the country.

In addition, more women hold management posts in health centres. In 2001, 26 per cent of such posts in provincial and regional hospitals and health subcentres were held by women. Their numbers are still in inverse proportion, however, to the level of the post. The fewest women are employed at the highest level: 14 per cent are health undersecretaries, while 29 per cent help run hospitals throughout the country and 32 per cent manage health subcentres.

Other progress includes:

- Better working conditions for health-care professionals, increased human resources and improvements in hospital infrastructures;
- Active participation by non-governmental organizations as service-providers in specialized areas of women's sexual and reproductive health through models of accessible, affordable and high-quality care which promote changing attitudes for families, young people and adolescents;
- More training on health issues for women; this helps overcome sexual and reproductive health taboos;
- Improved data management and collection in the health sector, including instruments for updated information and statistics, research, the development of laws and regulations and, in particular, the systematic disaggregation of information by sex;
- Advances and improvements in:
  - Work with vulnerable population groups such as older persons and lowering the number of deaths from sexually transmitted diseases (STDs) and AIDS among sex workers;
  - Pregnancy and postpartum care and better prenatal care;
  - Vaccination for women of childbearing age;

[76] Report submitted by the Epidemiology Department (DIGEPI) of the State Secretariat of Public Health and Social Welfare (SESPAS) on 30 August 2001 in connection with the preparation of this fifth periodic report.

- Promotion of breastfeeding and family planning;
- Combating AIDS through HIV-screening of 98 per cent of all blood used in transfusions in the Dominican Republic and establishment of programmes to prevent vertical transmission;
- Reorganization of the National Council for the Study of AIDS (CONASIDA) (the national policy-making mechanism for combating AIDS), in coordination with government bodies and civil society.

3.13. Article 13: Economic and social benefits

During the reporting period, the Government developed and implemented economic and social measures to benefit women.

3.13.1. Legislation

Act No. 87-01 of 8 May 2001, which created the SDSS, provides the following benefits:

- Art. 50: Retirement pensions for older persons;
- Art. 63: Support payments for unemployed single mothers of young children who do not have adequate resources to meet their basic needs and educate their children;
- Art. 132: Right to an infant feeding subsidy during the first year of life for children of women workers who are contributors to the system and earn less than three times the minimum wage;
- Arts. 134 and 135: Creation of day-care centres for all workers' children aged 45 days to five years; these centres also provide health care for mothers and children.

The Labour Code has been amended to give domestic workers the right to annual leave, 13 times the minimum wage and rest periods.[77]

However, generally speaking, there are still problems with enforcement of the labour laws owing to the lack of mechanisms to ensure government control and monitoring and to workers' ignorance of their rights. In addition, the Social Security Act is relatively new and its regulations are still being developed.

3.14. Article 14: Rural women

3.14.1. Context of rural reality

Socio-economic and demographic indicators show that the rural populations are generally hardest hit by low levels of development. Indeed, in the 1998 poverty indexes (general and extreme), general poverty stood at 37 per cent and extreme poverty at 7 per cent in the urban area, while those figures were 85 per cent and 37 per cent, respectively, in the rural area. In other words, extreme poverty is five times greater in the rural area than in the urban area.

[77] See sect. 3.11.3.

However, the process of decentralization begun in the 1990s set in motion policies to encourage the proactive participation of female citizens. Two major actions include: (a) holding presidential elections separately from municipal and legislative elections, resulting in a more direct and clearer definition of commitments between constituents and elected officials at the local level and (b) targeting pockets of poverty, based on identification of the hardest-hit rural areas, the direction anti-poverty plans should take and the intensity with which they should be implemented.

3.14.2. Mechanisms for the advancement of rural women

The Women's Agricultural Sectoral Office established within the State Secretariat of Agriculture is a mechanism for the advancement of Dominican rural women. The purpose of this Office is to undertake actions to enhance the visibility of women's participation in agricultural productive processes and to contribute to the reduction of rural poverty. The Office has an administrative unit, a unit for coordination with other institutions and non-governmental organizations, and three divisions: Planning and Projects, Rural Women and Research, and Training.

Its strategies for the empowerment of rural women include:

- Strengthening sectoral coordination to provide support services;
- Providing gender training to both technicians in agricultural institutions and rural women's organizations;
- Promoting rural women's participation in decision-making spheres;
- Coordinating agricultural policies in accordance with the new rurality;
- Managing financial support to women's organizations for the establishment of agro-industrial enterprises; and
- Conducting research on the particular circumstances of rural women.

Among its actions, the Office, with the support of the State Secretariat for Women, has incorporated a gender perspective into the next agricultural census.

Under the Act on Public Expenditure for 2001, 21 projects in various areas, totalling nearly 159 million pesos and financed by a variety of sources, were approved by the Dominican Congress for implementation by the State Secretariat of Agriculture.

The Department of Social Development of the Dominican Agrarian Institute is carrying out projects for women, as required by Act No. 55-97[78] on equality. It concluded an agreement with the State Secretariat for Women to develop a programme for training and organizing women, and for the provision of advisory services to the Department. According to the Institute's input for this fifth periodic report, in 2001, title to land was distributed to 166 women, whose parcels are spread over a surface area of 9,427 *tareas* (57 *tareas* per woman, with 1 *tarea* equal to 628 square metres), located in 14 provinces, including the National District, at a value of 86 million pesos.

[78] A law amending the Agrarian Reform Act and establishing the principle of equality between men and women in all rights and obligations under the law, thereby legalizing rural women's access to land under agrarian reform.

It should be pointed out, however, that according to the register of agricultural producers kept by the State Secretariat of Agriculture, women are being given smaller parcels whose productivity can guarantee subsistence only. The figures also show that 47 per cent of farms belong to women ranging from 41 to 60 years of age, leaving few opportunities for young women or single mothers (populations which have been accorded priority in the Government's social policy).

Article 51 of Act No. 55-97 provides that the Dominican Agrarian Institute shall manage credit facilities for farmers who form part of a family unit and for organizations and shall provide adequate technical advice through agricultural cooperatives. In this connection, from 1998 to 2001, 1,761 women have had access to loans from decentralized offices and projects of the State Secretariat of Agriculture, amounting to 440 loans annually.

During the reporting period, the State Secretariat for Women, in coordination with Banco Agricola, the National Statistical Office (ONE) and the Dominican Agrarian Institute, concluded three agreements on cooperation and collaboration with the National Confederation of Rural Women (CONAMUCA)[79] and other rural women's organizations, such as Unión de Mujeres Rurales (UNDEMUR) and Fundación Mujeres para Crecer. The agreements concern gender training, the promotion and dissemination of agrarian reform legislation and legislation on violence, literacy programmes for rural women and the opening of credit portfolios.

The State Secretariat for Women has made an effort to disseminate laws and treaties and to provide training to rural women through the following actions:

- Popular guide to Act No. 55-97 on Agrarian Reform, so that women will be better informed of their rights;
- Workshops to prepare trainers to disseminate the law in the poorest parts of the country, with a view to strengthening rural female leadership;
- Annotated summary of the Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women; and
- Revival of the regional network for rural women, sponsored by the Food and Agriculture Organization of the United Nations (FAO), 1997.

Since 1999, the State Secretariat for Women, with the participation of Costa Rica, El Salvador, Honduras, Guatemala, Belize and Suriname, has been implementing the multilateral project entitled "Gender Training and Sustainable Rural Development", which targets rural women leaders in those seven countries.

3.15. Article 15: Equality under the law

As we indicated in the fourth periodic report, under the Dominican Constitution, there is no gender discrimination in the recognition of citizenship rights.

Legislation enacted during this reporting period, in particular article 3 of Act No. 87-01 of 9 May 2001 establishing the Dominican Social Security System, guarantees equal treatment of all Dominicans and residents in the country, without discrimination on grounds of health or sex, or social, political or economic status.

[79] CONAMUCA currently has 8,000 female members organized in 295 associations and 14 federations.

The General Act on Health No. 42-01 of 8 March 2001 also establishes general equality, universality and harmony.

Moreover, we have already mentioned (see sect. 3.4) the ratification of the Optional Protocol to the Convention and the enactment of Act No. 12-2000 and Act No. 13-2000, fixing quotas for female candidates for deputy and mayor and expanding the rights of female domestic workers, who have been covered by the Labour Code since 1999.

The Civil and Penal Codes and the Code of Criminal Procedure are in the process of being amended.

3.16. Article 16: Marriage and family

The reporting period saw no changes with regard to this article. A proposal to amend the Civil Code, however, would establish:

- The age of majority for both sexes at 18 years;
- Shared authority over and guardianship of children between the father and mother;
- Administration by each spouse of his or her own personal property (doing away with the man's right to administer the woman's personal property);
- For consensual unions, recognition of the general provisions of the legal regime of the de facto marital union, the economic relationship between a man and woman living together and the dissolution of the de facto marital union and the regime of joint ownership of property. These provisions are of vital importance for the protection of women's economic and social rights, in view of the fact that, in 1999, 63 per cent of all women living with their partners were doing so in consensual unions.

- **Case law**

We should also draw attention to a case which arose during the reporting period that is considered to constitute a positive precedent in favour of women's civil rights.

The Supreme Court of Justice ruled in favour of a widow who had lost her husband in a traffic accident, ordering the insurance company for the vehicle which had caused the accident to pay her appropriate compensation. The insurance company had refused, claiming that the widow had not been legally married to her husband and that cohabitation did not represent a legal bond protecting the union.

Since, in the Dominican Republic, the application of justice is based on the law, legal doctrine and case law, this ruling sets a major precedent for the future; both judges and attorneys will be able to cite the decision of the Supreme Court of Justice in favour of this woman not only for the purposes of recognizing the rights of descendants of common-law partners but also with regard to enjoyment of the tangible joint assets acquired in the relationship. It also paves the way for amending the law to sensitize members of Congress to reforms with regard to marriage and family being promoted by women in civil society and encourages the Dominican people to be more adamant about standing up for their rights to claims on tangible assets, irrespective of the form of union they are in.